

### **REMARKS/ARGUMENTS**

Claims 28 – 50 are pending in the application.

Claims 28 and 50 have been amended.

Applicants thank the Examiner and his supervisor for the opportunity on October 8, 2003 to discuss the present application. During that discussion, Applicants proposed amendments to claims 28 and 50 and it was agreed that Applicants would submit, via an amendment, an amended claim 28 and an amended claim 50 for entry in the record, whereupon each of the amended claims 28 and 50 would recite a single step process of growing a respective  $\text{Si}_x\text{O}_y\text{N}_z$  oxy-nitride layer or an  $\text{Si}_3\text{N}_4$  layer while controlling the atmosphere to achieve the desired results.

In the Office Action, claims 28 - 50 are rejected under 35 U.S.C 112, first paragraph, as failing to comply with the written description requirement. Specifically, each of the amended claims 28 and 50 now recite a single step process of growing a respective  $\text{Si}_x\text{O}_y\text{N}_z$  oxy-nitride layer or an  $\text{Si}_3\text{N}_4$  layer while controlling the atmosphere to achieve the desired results. Applicants therefore submit that the amended claims 28 and 50 now comply with the written description requirement.

In view of the foregoing discussion, Applicants respectfully request reconsideration of the allowability of all of the claims of the instant application. Should the Examiner have any further comments or suggestions, the undersigned would very

much welcome a telephone call from him in order to be able to discuss any outstanding issues and to place the application into condition for allowance.

Respectfully Submitted,



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for applicant(s)

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